

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DANIEL ARIZA-GARCIA,

Defendant.

4:13-CR-3130

AMENDED ORDER ON
SENTENCING SCHEDULE

This matter is before the Court on the government's motion to extend (filing [264](#)). The government requests additional time to respond to the defendant's Motion for "Safety Valve" Non-Guideline Sentence (filing [254](#)) and Objection to the Presentence Report (filing [255](#)). For good cause shown, the government's motion is granted. Therefore,

IT IS ORDERED that the government's motion to extend (filing [264](#)) is granted.

IT IS FURTHER ORDERED that the following amended deadlines and procedures are set in this case:

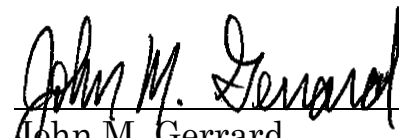
1. **May 19, 2014**: The government's sentencing statement shall be filed on or before this date.
2. **May 22, 2014**: Judge's notice to counsel of rulings, tentative findings, whether oral testimony is to be permitted, and how objections to tentative findings may be made; and
3. The following procedures shall apply to objections to tentative findings:
 - a. A written objection to tentative findings is not required if no evidence will be offered in support of the objection to tentative findings and no new substantial issue of law will be raised in support of an objection to tentative findings. In such a case, an oral objection to the tentative findings may be made at the time of sentencing.

- b. A written objection to tentative findings is required if evidence will be offered in support of the objection to the tentative findings or if a new substantial issue of law is raised in support of the objection to the tentative findings. If evidence will be offered in support of the written objection to the tentative findings, the written objection shall include a statement describing why an evidentiary hearing is required, what evidence will be presented, and how long such a hearing would take. If a new substantial issue of law is raised in support of the written objection to tentative findings, such an objection shall be supported by a brief. Unless the Court orders otherwise, a written objection to the tentative findings will be resolved at sentencing in such manner as the Court deems appropriate.
 - c. Any written objection to tentative findings shall be filed no later than 1 business day prior to sentencing.
4. May 30, 2014 at 11:00 a.m.: Sentencing before Judge Gerrard in Lincoln, Courtroom #1.

A probation officer must submit a sentencing recommendation to the sentencing judge no later than May 28, 2014. The probation officer is directed to provide copies of any sentencing recommendation to counsel for the government and counsel for the defendant at the time the recommendation is submitted to the sentencing judge.

Dated this 15th day of May, 2014.

BY THE COURT:



John M. Gerrard
United States District Judge